

MAP SE-57  
4A  
E.D. 15  
DATE 12-15-86  
200 ✓  
1000 ✓  
DP

Linwood A. Hayden, Sr.  
115' NE of  
C/L of River Drive Rd., 15th Dist.  
86-347-A

# PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3.C.1 TO PERMIT A SIDE YARD SETBACK OF 5' INSTEAD OF THE REQUIRED 10'

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

TO ALLOW EXISTING CARPORT TO BE ENCLOSED AND USED AS  
ADDITIONAL LIVING AREA

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: \_\_\_\_\_ Legal Owner(s): \_\_\_\_\_  
(Type or Print Name) \_\_\_\_\_  
Signature \_\_\_\_\_  
Address \_\_\_\_\_  
City and State \_\_\_\_\_  
Attorney for Petitioner: \_\_\_\_\_  
(Type or Print Name) \_\_\_\_\_  
Signature \_\_\_\_\_  
Address \_\_\_\_\_  
City and State \_\_\_\_\_  
Attorney's Telephone No.: \_\_\_\_\_  
Name, address and phone number of legal owner, contract purchaser or representative to be contacted \_\_\_\_\_  
Name \_\_\_\_\_  
Address \_\_\_\_\_  
City and State \_\_\_\_\_  
Phone No. \_\_\_\_\_

ORDERED BY THE Zoning Commissioner of Baltimore County, this 10th day of February, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 10th day of March, 1986, at 9:30 o'clock.

*Carol A. Hayden*  
Zoning Commissioner of Baltimore County.

(over)

210  
86-347-A

MAP SE-57  
4A  
E.D. 15  
DATE 12-15-86  
200 ✓  
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IN RE: PETITION ZONING VARIANCE \* BEFORE THE  
NW/S of River Drive Road, \* ZONING COMMISSIONER  
115' NE of the centerline of \* OF BALTIMORE COUNTY  
Ella Avenue (7239 River Drive \*  
Road) - 15th Election District \*  
Linwood A. Hayden Sr., et ux, \* Case No. 86-347-A  
Petitioners \*

## FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a side yard setback of 5 feet instead of the required 10 feet, as more particularly described on Petitioner's Exhibit 1.

The Petitioner appeared and testified. There were no Protestants. Testimony indicated that the subject property, located on River Drive Road and zoned D.R.5.5, is improved with a 28' x 40' dwelling in which the Petitioners have resided for 25 years. There is a 19' x 28' attached carport situated 5 feet from the northeast side of the property which the Petitioners wish to enclose and convert into a family room because they need more space. The Petitioners wish to convert the carport because the essential structure is already in place and there is an existing side entrance.

The Petitioners seek relief from Section 1802.3.C.1, pursuant to Section 307, Baltimore County Zoning Regulations (BCZR).

An area variance may be granted where strict application of the zoning regulation would cause practical difficulty to the petitioner and his property. *McLean v. Soley*, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

- whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;

- whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance were granted, such use as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variance were not granted. It has been established that the requirement from which the Petitioners seek relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 12th day of March, 1986, that the Petition for Zoning Variance to permit a side yard setback of 5 feet instead of the required 10 feet be and is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

- The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own

- 2 -

ORDER RECEIVED FOR FILING  
DATE March 13, 1986  
BY *John P. Long*

risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

- The Petitioners shall ensure that all runoff generated from the converted carport be infiltrated into the ground, to the degree physically possible, by spreading it over a permeable surface such as their lawn.
- One large deciduous and two conifers or four small deciduous trees shall be planted and maintained.

*Carol A. Hayden*  
Zoning Commissioner of Baltimore County

AJ/srl  
cc: Mr. & Mrs. Linwood A. Hayden, Sr.  
People's Counsel

## Zoning Description

Beginning at a point on the Northwest side of River Drive Road, 115' Northwest of the centerline of Ella Ave. being lot 13 and the westernmost 25' of lot 14, block U of the Lynch Point and recorded among the land records of Baltimore County in Plat Book 8, Folio 38 Also known as 7239 River Drive Road.

## PETITION FOR ZONING VARIANCE

15th Election District

LOCATION: Northwest Side of River Drive Road, 115 feet Northeast of the centerline of Ella Avenue (7239 River Drive Road)  
DATE AND TIME: Monday, March 10, 1986, at 9:30 a.m.  
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variance to permit a side yard setback of 5 feet in lieu of the required 10 feet

Being the property of Linwood A. Hayden, Sr., et ux, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF  
ARNOLD BARLOW  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER  
NW/S River Drive Rd., : OF BALTIMORE COUNTY  
115' NE of C/L of :  
Ella Ave. (7239 River :  
Drive Rd.), 15th Dist. :  
LINWOOD A. HAYDEN, SR., : Case No. 86-347-A  
et ux, Petitioners : : : : :  
: : : : :

## ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

*Phyllis Cole Friedman*  
Phyllis Cole Friedman  
People's Counsel for Baltimore County

*Peter Max Zimmerman*  
Peter Max Zimmerman  
Deputy People's Counsel  
Rm. 223, Court House  
Towson, Maryland 21204  
491-2188

I HEREBY CERTIFY that on this 25th day of February, 1986, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Linwood A. Hayden, Sr., 7239 River Drive Rd., Baltimore, MD 21219, Petitioners.

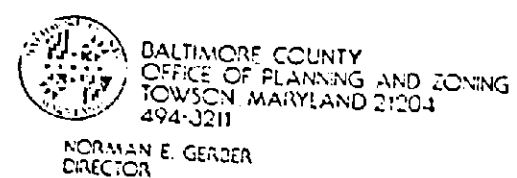
*Peter Max Zimmerman*  
Peter Max Zimmerman

ORDER RECEIVED FOR FILING  
DATE March 13, 1986  
BY *John P. Long*









Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

February 13, 1986  
(CRITICAL AREA)

Re: Zoning Advisory Meeting of December 10, 1985  
Item # 210  
Property Owner: LINWOOD A. HAYDEN, SR.  
Location: NW/4 RIVER DRIVE RD.,  
115' NE OF E OF ELLA AVENUE

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- ☒ There are no site planning factors requiring comment.
- ☒ A County Review Group Meeting is required.
- ☒ The County Review Group Meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- ☒ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ☒ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☒ The access is not satisfactory.
- ☒ The circulation on this site is not satisfactory.
- ☒ The parking arrangement is not satisfactory.
- ☒ The calculations must be shown on the plan.
- ☒ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ☒ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-95 of the Development Regulations.
- ☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☒ The amended Development Plan was approved by the Planning Board on 1/17/86.
- ☒ Landscaping must comply with Baltimore County Landscape Manual, 1111-178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is 15.
- ☒ The property is located in a traffic area controlled by a "D" level intersection as defined by 5111-178-79, and its conditions change are re-evaluated annually by the County Council.

THIS SITE IS LOCATED IN THE CHESAPEAKE BOY CRITICAL AREA. ADDITIONAL COMMENTS WILL BE PROVIDED BY THE COMPREHENSIVE PLANNING DIVISION.

cc: James Howell

Eugene A. Robb  
Chief, Current Planning and Development



STEPHEN E. COLLINS  
DIRECTOR

January 7, 1986

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Item No. -ZAC- Meeting of December 10, 1985  
Property Owner:  
Location:  
Existing Zoning:  
Proposed Zoning:

Acres:  
District:

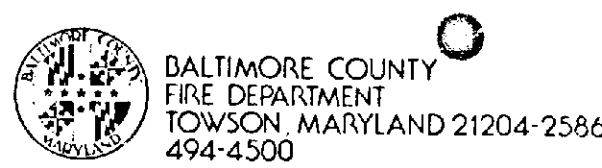
Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items numbered 208, 209, 210, 211, 212, 214, 215, 218, 219, 220, and 221.

*Michael S. Flanagan*  
Traffic Engineering Associate II

MSF/bld

86-347-A  
3/10



PAUL H. REINCKE  
CHIEF

December 17, 1985

Mr. Arnold Jablon  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

Attention: Nick Commodari, Chairman  
Zoning Plans Advisory Committee

Re: Property Owner: Linwood A. Hayden, Sr. (critical area)

Location: NW/4 River Drive Road, 115' NE of centerline of Ella Avenue  
Item No.: 210 Zoning Agenda: Meeting of December 10, 1985

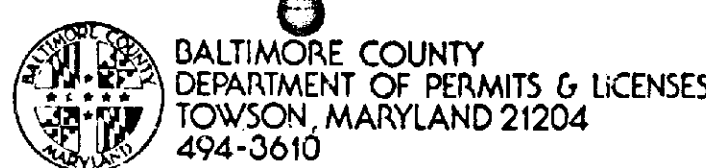
Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- ☒ 1. Fire hydrants for the referenced property are required and shall be located at intervals of \_\_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ☒ 2. A second means of vehicle access is required for the site.
- ☒ 3. The vehicle dead end condition shown at \_\_\_\_\_ EXCEEDS the maximum allowed by the Fire Department.
- ☒ 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- ☒ 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.
- ☐ 6. Site plans are approved, as drawn.
- ☐ 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *John F. O'Neill* Noted and Approved: \_\_\_\_\_  
Planning Group Fire Prevention Bureau  
Special Inspection Division

/mb



TED ZALESKI, JR.  
DIRECTOR

December 27, 1985

Mr. Arnold Jablon, Zoning Commissioner  
Office of Planning and Zoning  
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 210 Zoning Advisory Committee Meeting are as follows:

Property Owner: Linwood A. Hayden, Sr., et ux (Critical Area)  
Location: NW/4 River Drive Road, 115' NE of c/l of Ella Avenue  
District: 15th.

APPLICABLE ZONING AND ORDINANCES:

1. All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.S.S.I. #17-1 - 1980) and other applicable Codes and Standards.

2. A building and other miscellaneous permits shall be required before the start of any construction.

3. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/are not required on plans and technical data.

4. Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.

5. All Use Groups except B-1, Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. B-1 Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 101, Section 1107, Section 1106, and Table 1102. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.

6. The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 101 and 505 and have your Architect/Engineer contact this department.

7. The requested variance appears to conflict with Section(s) \_\_\_\_\_ of the Baltimore County Building Code.

8. When filing for a required Change of Use/Company Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from the \_\_\_\_\_ to \_\_\_\_\_ or to Mixed Uses. See Section 312 of the Building Code.

9. The proposed project appears to be located in a Flood Plain, Flood/Riverine. Plans see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevation, above sea level for the lot and the finish floor levels including basement.

10. Comments: Plans do not show elevation above sea level.

11. These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 N. Chesapeake Avenue, Towson, Maryland 21204.

E. E. Robinson, Chief  
Building Plans Service

L/27/85

SPECIAL NOTE FOR CONSTRUCTION IN TIDAL RIVERINE AREAS  
BILL #17-85 BALTIMORE COUNTY BUILDING CODE 1984  
EFFECTIVE - APRIL 22, 1985

SECTION 516.0 A Section added to read as follows:

SECTION 516.0 CONSTRUCTION IN AREAS SUBJECT TO FLOODING

516.1 AREAS SUBJECT TO INUNDATION BY TIDEWATERS:

1. Whenever building or additions are constructed in areas subject to inundation by tides, the building's lowest floor (including basement) shall be not lower than one (1) foot above the 100-year flood elevation, as established by the U.S. Army Corps of Engineers or the Federal Flood Insurance Study, whichever is more restrictive. These buildings or additions shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of the structure with materials resistant to flood damage.

Areas beneath buildings will not be considered as basements if headroom to underside of floor joists is less than six feet or if enclosure walls are at least 50 percent open.

2. Crawl spaces under buildings constructed in the tidal plain, as determined by the U.S. Army Corps of Engineers or the Federal Flood Insurance Study, whichever is the more restrictive, shall be constructed so that water will pass through without resulting debris causing damage to the improvements of any property.

3. New or replacement utility systems, including but not limited to water supply, sanitary sewage, electric, gas and oil, must be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and require on-site waste disposal systems to be located so as to avoid impairment of them or contamination from them during flooding.

516.2 RIVERINE AREAS SUBJECT TO INUNDATION BY SURFACE WATERS WITHIN THE 100 YEAR FLOOD PLAIN.

1. No structures or additions shall be within the 100-year flood plain of any watercourse. The 100-year flood plain shall be based upon the Federal Flood Insurance Study or the Department of Public Works, whichever is the more restrictive. This determination shall include planned future development of the watershed area.

2. Reconstruction of residential dwelling units shall be governed by Sections 103.0 or 120.0 as applicable, except that rebuilding of residential dwelling units damaged in excess of 50 percent of physical value shall also be governed by the provisions of Subsection 516.1 of this Section.

3. Reconstruction of other than residential buildings or structures in the riverine areas shall be made to conform to 516.1 when damage exceeds 50 percent of physical value.

April 1985

PLAT OF "LYNCH POINT" W.P.C. 8-38

BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS BUREAU OF LAND ACQUISITION

SCALE: 1"=50' SHEET 1 OF 12 PLAT TO ACCOMPANY ACQUISITION OF HIGHWAY WIDENING

CONSULTING ENGINEER ON SUPERVISOR: \_\_\_\_\_ DATE: \_\_\_\_\_

APPROVED: \_\_\_\_\_ DATE: 5/15/85

BUREAU OF LAND ACQUISITION

APPROVED: \_\_\_\_\_ DATE: 3/31/86

DIVISION OF DRAFTING

APPROVED: \_\_\_\_\_ DATE: 3/25/86

DRAWN: F.H.K. CHECKED: J.L.B. DATE: 3/25/86

CONSTRUCTION PLAN NO. \_\_\_\_\_

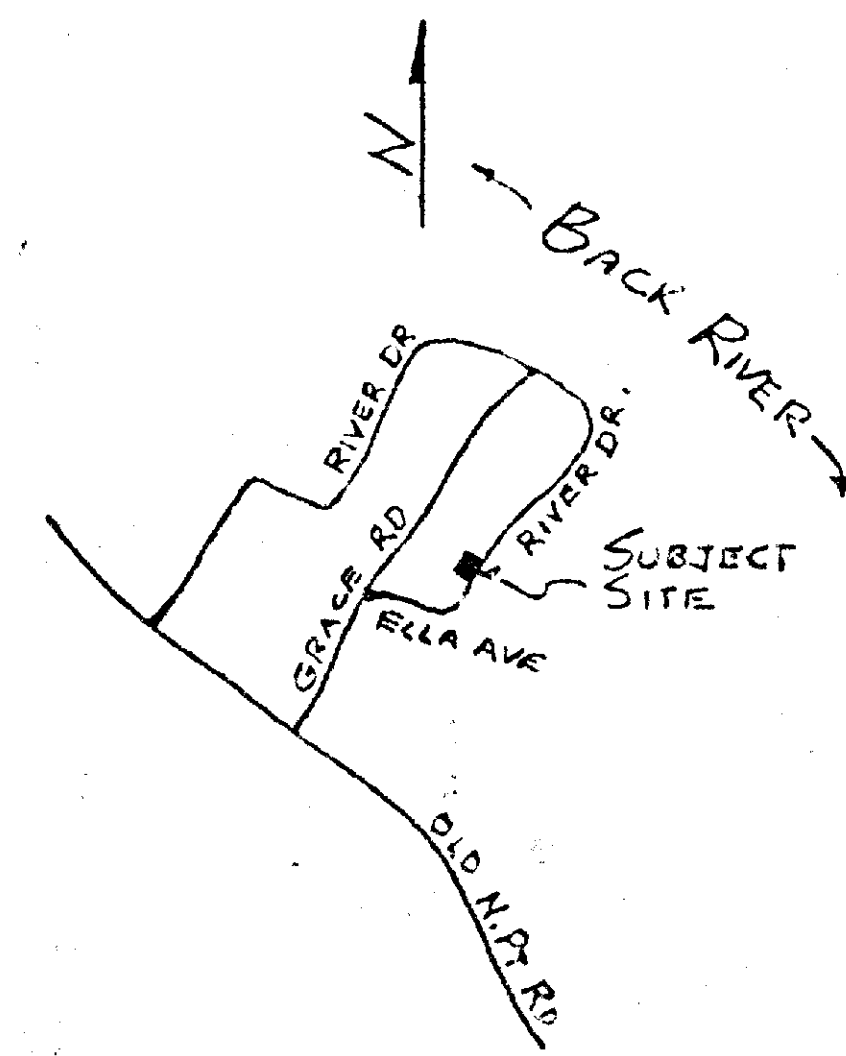
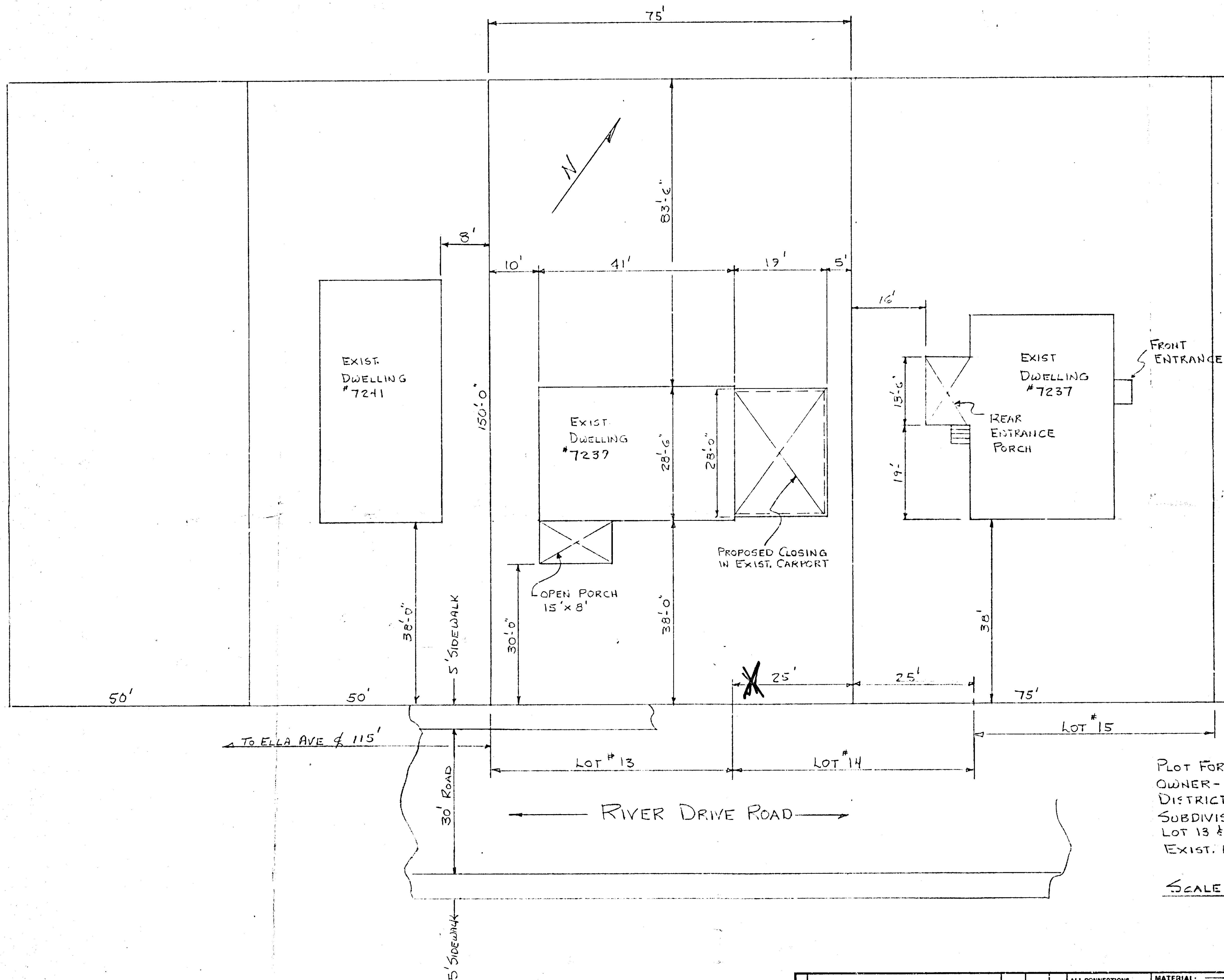
FEDERAL PROJECT NO. \_\_\_\_\_

MARYLAND PROJECT NO. \_\_\_\_\_

B.C. JOB ORDER NO. 5-2-634

RW 79-377-1

ELLA AVE



VICINITY MAP

PETITIONER'S  
EXHIBIT 1

PLOT FOR ZONING VARIANCE  
OWNER - LINWOOD A. & LORETTA A. HAYDEN SR.  
DISTRICT 15 ZONED DR 5.5  
SUBDIVISION - LYNCH POINT  
LOT 13 & PART 14 BOOK No. 8 FOLIO 38  
EXIST. UTILITIES IN RIVER DRIVE RD.

SCALE 1" = 10'-0"

✓  
L.H.

ALL CONNECTIONS WELDED ALL AROUND. ALL WELDS TO BE 1/4" INCH FILLET WELD UNLESS OTHERWISE NOTED.				MATERIAL:	
TOLERANCES (UNLESS NOTED) FRACTIONAL ANGULAR ±				FINISH ALL OVER UNLESS OTHERWISE SPECIFIED.	
EST. WT.				SCALE: 1" = 10'-0"	
NO. REVISION				REF. NO.	
BY DATE CHK				DATE 11-22-85	
RAYMOND INTERNATIONAL, INC.				RAYMOND INTERNATIONAL, INC.	
No. _____				REV. _____	

PLOT PLAN AND VICINITY MAP



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Linwood A. Hayden, Sr.  
115' NE of  
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86-347-A  
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of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

TO ALLOW EXISTING CARPORT TO BE ENCLOSED AND USED AS ADDITIONAL LIVING AREA

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Legal Owner(s):  
(Type or Print Name) LINWOOD A. HAYDEN SR.  
(Type or Print Name)

Signature: Loretta A. Hayden  
(Type or Print Name)

Address: Loretta A. Hayden  
(Type or Print Name)

City and State: Baltimore, Md.  
(Type or Print Name)

Attorney for Petitioner: 7239 River Drive Rd. W. 477-5576  
(Type or Print Name) Address Phone No.

Signature: R. H. M. 21219  
(Type or Print Name) City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

City and State Name

Attorney's Telephone No.: Address Phone No.

ORDERED BY THE Zoning Commissioner of Baltimore County, this 4th day of February, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 10th day of March, 1986, at 9:30 o'clock.

By: [Signature] Zoning Commissioner of Baltimore County.  
(over)

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115' NE of the centerline of \* OF BALTIMORE COUNTY  
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BY [Signature]

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- One large deciduous and two conifers or four small deciduous trees shall be planted and maintained.

[Signature]  
Zoning Commissioner of Baltimore County

AJ/srl  
cc: Mr. & Mrs. Linwood A. Hayden, Sr.  
People's Counsel

ORDER RECEIVED FOR FILING  
DATE March 12, 1986  
BY [Signature]

## Zoning Description

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## PETITION FOR ZONING VARIANCE

15th Election District

LOCATION: Northwest Side of River Drive Road, 115 feet Northeast of the centerline of Ella Avenue (7239 River Drive Road)

DATE AND TIME: Monday, March 10, 1986, at 9:30 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

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Petition for Zoning Variance to permit a side yard setback of 5 feet in lieu of the required 10 feet

Being the property of Linwood A. Hayden, Sr., et ux, as shown on plat plan filed with the Zoning Office.

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BY ORDER OF  
ARNOLD BARLOW  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER  
NW/S River Drive Rd., : OF BALTIMORE COUNTY  
115' NE of C/L of :  
Ella Ave. (7239 River :  
Drive Rd.), 15th Dist. :  
LINWOOD A. HAYDEN, SR., : Case No. 86-347-A  
et ux, Petitioners : : : : : :

## ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

[Signature]  
Phyllis Cole Friedman  
People's Counsel for Baltimore County

[Signature]  
Peter Max Zimmerman  
Deputy People's Counsel  
Rm. 223, Court House  
Towson, Maryland 21204  
491-2188

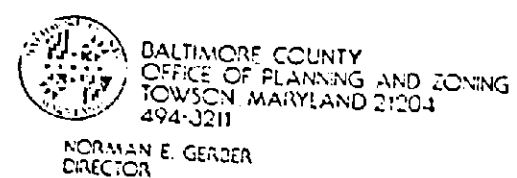
I HEREBY CERTIFY that on this 25th day of February, 1986, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Linwood A. Hayden, Sr., 7239 River Drive Rd., Baltimore, MD 21219, Petitioners.

[Signature]  
Peter Max Zimmerman









Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

February 13, 1986  
(CRITICAL AREA)

Re: Zoning Advisory Meeting of December 10, 1985  
Item # 210  
Property Owner: LINWOOD A. HAYDEN, SR.  
Location: NW/4 RIVER DRIVE RD.,  
115' NE OF E OF ELLA AVENUE

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- ☒ There are no site planning factors requiring comment.
- ☒ A County Review Group Meeting is required.
- ☒ The County Review Group Meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- ☒ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ☒ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☒ The access is not satisfactory.
- ☒ The circulation on this site is not satisfactory.
- ☒ The parking arrangement is not satisfactory.
- ☒ The calculations must be shown on the plan.
- ☒ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ☒ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-95 of the Development Regulations.
- ☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☒ The amended Development Plan was approved by the Planning Board on 1/17/86.
- ☒ Landscaping must comply with Baltimore County Landscape Manual, 1111-178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is 15.
- ☒ The property is located in a traffic area controlled by a "D" level intersection as defined by 5111-178-79, and its conditions change are re-evaluated annually by the County Council.

THIS SITE IS LOCATED IN THE CHESAPEAKE BOY CRITICAL AREA. ADDITIONAL COMMENTS WILL BE PROVIDED BY THE COMPREHENSIVE PLANNING DIVISION.

cc: James Howell

Eugene A. Robb  
Chief, Current Planning and Development



STEPHEN E. COLLINS  
DIRECTOR

January 7, 1986

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Item No. -ZAC- Meeting of December 10, 1985  
Property Owner:  
Location:  
Existing Zoning:  
Proposed Zoning:

Acres:  
District:

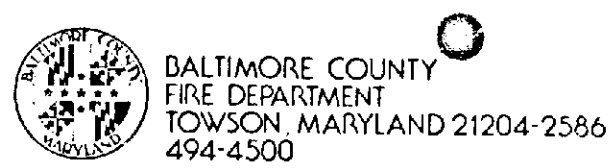
Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items numbered 208, 209, 210, 211, 212, 214, 215, 218, 219, 220, and 221.

*Michael S. Flanagan*  
Traffic Engineering Associate II

MSF/bld

86-347-A  
3/10



PAUL H. REINCKE  
CHIEF

December 17, 1985

Mr. Arnold Jablon  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

Attention: Nick Commodari, Chairman  
Zoning Plans Advisory Committee

Re: Property Owner: Linwood A. Hayden, Sr. (critical area)

Location: NW/4 River Drive Road, 115' NE of centerline of Ella Avenue  
Item No.: 210 Zoning Agenda: Meeting of December 10, 1985

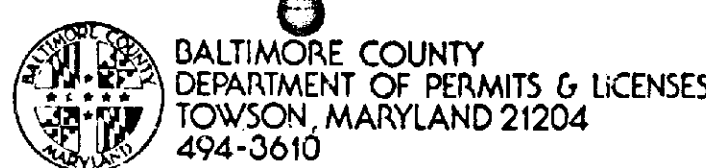
Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- ☒ 1. Fire hydrants for the referenced property are required and shall be located at intervals of \_\_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ☒ 2. A second means of vehicle access is required for the site.
- ☒ 3. The vehicle dead end condition shown at \_\_\_\_\_ EXCEEDS the maximum allowed by the Fire Department.
- ☒ 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- ☒ 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.
- ☐ 6. Site plans are approved, as drawn.
- ☐ 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *John F. O'Neill* Noted and Approved: \_\_\_\_\_  
Planning Group Fire Prevention Bureau  
Special Inspection Division

/mb



TED ZALESKI, JR.  
DIRECTOR

December 27, 1985

Mr. Arnold Jablon, Zoning Commissioner  
Office of Planning and Zoning  
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 210 Zoning Advisory Committee Meeting are as follows:

Property Owner: Linwood A. Hayden, Sr., et ux (Critical Area)  
Location: NW/4 River Drive Road, 115' NE of c/l of Ella Avenue  
District: 15th.

APPLICABLE ZONING AND ORDINANCES:

1. All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.S.S.I. #17-1 - 1980) and other applicable Codes and Standards.

2. A building and other miscellaneous permits shall be required before the start of any construction.

3. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/are not required on plans and technical data.

4. Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.

5. All Use Groups except B-1, Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. B-1 Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 101, Section 1107, Section 1106, and Table 1102. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.

6. The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 101 and 505 and have your Architect/Engineer contact this department.

7. The requested variance appears to conflict with Section(s) \_\_\_\_\_ of the Baltimore County Building Code.

8. When filing for a required Change of Use/Company Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from the \_\_\_\_\_ to \_\_\_\_\_ or to Mixed Uses. See Section 312 of the Building Code.

9. The proposed project appears to be located in a Flood Plain, Flood/Riverine. Plans see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevation, above sea level for the lot and the finish floor levels including basement.

10. Comments: Plans do not show elevation above sea level.

11. These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 N. Chesapeake Avenue, Towson, Maryland 21204.

E. E. Robinson, Chief  
Building Plans Service

L/27/85

### SPECIAL NOTE FOR CONSTRUCTION IN TIDAL RIVERINE AREAS BILL #17-85 BALTIMORE COUNTY BUILDING CODE 1984 EFFECTIVE - APRIL 22, 1985

SECTION 516.0 A Section added to read as follows:

SECTION 516.0 CONSTRUCTION IN AREAS SUBJECT TO FLOODING

516.1 AREAS SUBJECT TO INUNDATION BY TIDEWATERS:

1. Whenever building or additions are constructed in areas subject to inundation by tides, the building's lowest floor (including basement) shall be not lower than one (1) foot above the 100-year flood elevation, as established by the U.S. Army Corps of Engineers or the Federal Flood Insurance Study, whichever is more restrictive. These buildings or additions shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of the structure with materials resistant to flood damage.

Areas beneath buildings will not be considered as basements if headroom to underside of floor joists is less than six feet or if enclosure walls are at least 50 percent open.

2. Crawl spaces under buildings constructed in the tidal plain, as determined by the U.S. Army Corps of Engineers or the Federal Flood Insurance Study, whichever is the more restrictive, shall be constructed so that water will pass through without resulting debris causing damage to the improvements of any property.

3. New or replacement utility systems, including but not limited to water supply, sanitary sewage, electric, gas and oil, must be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and require on-site waste disposal systems to be located so as to avoid impairment of them or contamination from them during flooding.

516.2 RIVERINE AREAS SUBJECT TO INUNDATION BY SURFACE WATERS WITHIN THE 100 YEAR FLOOD PLAIN.

1. No structures or additions shall be within the 100-year flood plain of any watercourse. The 100-year flood plain shall be based upon the Federal Flood Insurance Study or the Department of Public Works, whichever is the more restrictive. This determination shall include planned future development of the watershed area.

2. Reconstruction of residential dwelling units shall be governed by Sections 103.0 or 120.0 as applicable, except that rebuilding of residential dwelling units damaged in excess of 50 percent of physical value shall also be governed by the provisions of Subsection 516.1 of this Section.

3. Reconstruction of other than residential buildings or structures in the riverine areas shall be made to conform to 516.1 when damage exceeds 50 percent of physical value.

April 1985

PLAT OF  
"LYNCH POINT"  
W.P.C. 8-38

BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS BUREAU OF LAND ACQUISITION

SCALE: 1"=50' SHEET 1 OF 12 PLAT TO ACCOMPANY ACQUISITION OF HIGHWAY WIDENING

CONSULTING ENGINEER ON SUPERVISOR: \_\_\_\_\_ DATE: \_\_\_\_\_

APPROVED: \_\_\_\_\_ DATE: 5/15/85

BUREAU OF LAND ACQUISITION

APPROVED: \_\_\_\_\_ DATE: 5/31/85

DIVISION OF DRAFTING

APPROVED: \_\_\_\_\_ DATE: 5/25/85

DRAWN: F.H.K. CHECKED: J.L.B. DATE: 5/25/85

NO.	ACQUIRED FROM	RECORDED
1		
2		
3		
4		
5		
6		
7		

MARYLAND PROJECT NO. \_\_\_\_\_

B.C. JOB ORDER NO. 5-2-634

RW 79-377-1





MAP 5E-51  
4A  
E.D. 15  
DATE 12-15-84  
200 ✓  
1000 ✓  
DP

Linwood A. Hayden, Sr.  
115' NE of  
C/L of River Drive Rd.,  
15th Elec.  
Dist.

86-347-A  
4210

86-347-A  
4210

# PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3.C.1 TO PERMIT A SIDE YARD SETBACK OF 5' INSTEAD OF THE REQUIRED 10'

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

TO ALLOW EXISTING CARPORT TO BE ENCLOSED AND USED AS  
ADDITIONAL LIVING AREA

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: \_\_\_\_\_  
(Type or Print Name)  
Signature: \_\_\_\_\_  
Address: \_\_\_\_\_  
(Type or Print Name)  
City and State: \_\_\_\_\_  
Attorney for Petitioner: \_\_\_\_\_  
(Type or Print Name)  
Address: 7239 River Drive Rd. W. 477570  
City and State: Baltimore, Md. 21219  
Signature: \_\_\_\_\_  
Name, address and phone number of legal owner, contract purchaser or representative to be contacted  
Address: \_\_\_\_\_  
City and State: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City and State: \_\_\_\_\_  
Phone No.: \_\_\_\_\_  
Attorney's Telephone No.: \_\_\_\_\_

ORDERED BY THE Zoning Commissioner of Baltimore County, this 10th day of February, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County on the 10th day of March, 1986 at 9:30 o'clock

*Carol A. ...*  
Zoning Commissioner of Baltimore County.  
(over)

210  
86-347-A

MAP 5E-51  
4A  
E.D. 15  
DATE 12-15-84  
200 ✓  
1000 ✓  
DP

IN RE: PETITION ZONING VARIANCE \* BEFORE THE  
NW/S of River Drive Road, \* ZONING COMMISSIONER  
115' NE of the centerline of \* OF BALTIMORE COUNTY  
Ella Avenue (7239 River Drive \*  
Road) - 15th Election District \*  
Linwood A. Hayden Sr., et ux, \* Case No. 86-347-A  
Petitioners \*

## FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a side yard setback of 5 feet instead of the required 10 feet, as more particularly described on Petitioner's Exhibit 1.

The Petitioner appeared and testified. There were no Protestants.

Testimony indicated that the subject property, located on River Drive Road and zoned D.R.5.5, is improved with a 28' x 40' dwelling in which the Petitioners have resided for 25 years. There is a 19' x 28' attached carport situated 5 feet from the northeast side of the property which the Petitioners wish to enclose and convert into a family room because they need more space. The Petitioners wish to convert the carport because the essential structure is already in place and there is an existing side entrance.

The Petitioners seek relief from Section 1802.3.C.1, pursuant to Section 307, Baltimore County Zoning Regulations (BCZR).

An area variance may be granted where strict application of the zoning regulation would cause practical difficulty to the petitioner and his property. *McLean v. Soley*, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

- whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;

## PETITION FOR ZONING VARIANCE

15th Election District

LOCATION: Northwest Side of River Drive Road, 115 feet Northeast of the centerline of Ella Avenue (7239 River Drive Road)  
DATE AND TIME: Monday, March 10, 1986, at 9:30 a.m.  
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variance to permit a side yard setback of 5 feet in lieu of the required 10 feet

Being the property of Linwood A. Hayden, Sr., et ux, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF  
ARNOLD BARLOW  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY

- whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance were granted, such use as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variance were not granted. It has been established that the requirement from which the Petitioners seek relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 12th day of March, 1986, that the Petition for Zoning Variance to permit a side yard setback of 5 feet instead of the required 10 feet be and is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

- The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own

- 2 -

risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

- The Petitioners shall ensure that all runoff generated from the converted carport be infiltrated into the ground, to the degree physically possible, by spreading it over a permeable surface such as their lawn.
- One large deciduous and two conifers or four small deciduous trees shall be planted and maintained.

*Carol A. ...*  
Zoning Commissioner of Baltimore County

AJ/srl  
cc: Mr. & Mrs. Linwood A. Hayden, Sr.  
People's Counsel

## Zoning Description

Beginning at a point on the Northwest side of River Drive Road, 115' Northwest of the centerline of Ella Ave. being lot 13 and the westernmost 25' of lot 14, block U of the Lynch Point and recorded among the land records of Baltimore County in Plat Book 8, Folio 38 Also known as 7239 River Drive Road.

## PETITION FOR VARIANCE

15th Election District

RE: PETITION FOR VARIANCE \* BEFORE THE ZONING COMMISSIONER  
NW/S River Drive Rd., \* OF BALTIMORE COUNTY  
115' NE of C/L of \*  
Ella Ave. (7239 River \*  
Drive Rd.), 15th Dist. \*  
LINWOOD A. HAYDEN, SR., \* Case No. 86-347-A  
et ux, Petitioners \* : : : : :

## ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

*Phyllis Cole Friedman*  
Phyllis Cole Friedman  
People's Counsel for Baltimore County

*Peter Max Zimmerman*  
Peter Max Zimmerman  
Deputy People's Counsel  
Rm. 223, Court House  
Towson, Maryland 21204  
491-2188

I HEREBY CERTIFY that on this 25th day of February, 1986, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Linwood A. Hayden, Sr., 7239 River Drive Rd., Baltimore, MD 21219, Petitioners.

*Peter Max Zimmerman*  
Peter Max Zimmerman

FEB 4 1987



Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would result not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, that the herein Petition for Variance(s) to permit



BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3353

ARNOLD JABLON  
ZONING COMMISSIONER

JEAN M. H. JUNG  
DEPUTY ZONING COMMISSIONER

March 5, 1986

Mr. Linwood A. Hayden, Sr.  
Mrs. Loretta A. Hayden  
7239 River Drive Road  
Baltimore, Maryland 21219

RE: PETITION FOR ZONING VARIANCE  
NW/S River Drive Rd., 115' NE of the c/1  
of Ella Ave. (7239 River Drive Rd.)  
15th Election District  
Linwood A. Hayden, Sr., et ux - Petitioners  
Case No. 86-347-A

Dear Mr. and Mrs. Hayden:

This is to advise you that \$46.68 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

Please make the check payable to Baltimore County, Maryland, and remit building, Towson, Maryland

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE-REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 018526

DATE: 3/10/86 ACCOUNT: 86-347-A

RECEIVED FROM: Linwood A. Hayden, Sr. & Loretta A. Hayden

AMOUNT: \$46.68

FOR: Advertising & Posting of Petition No. 86-347-A

6 BALCO\*\*\*\*\*250134 21204

VALIDATION OR SIGNATURE OF CASHIER

## CERTIFICATE OF PUBLICATION

TOWSON, MD., February 20, 1986

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on February 20, 1986.

THE JEFFERSONIAN,

18 Ventrol  
Publisher

Cost of Advertising

24.75  
22.00

## PETITION FOR ZONING VARIANCE

15th Election District

LOCATION: Northwest Side of River Drive Road, 115' NE of the corner of Ella Avenue (7239 River Drive Road).

DATE AND TIME: Monday, March 10, 1986, at 9:30 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland.

Being the property of Linwood A. Hayden, Sr., et ux, as shown on the plat filed with the Zoning Office.

In the event that this Petitioner(s) is granted a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

By Order Of Arnold Jablon, Zoning Commissioner of Baltimore County Feb. 20.

## Petition for Variance

15th Election District

LOCATION: Northwest Side of River Drive Road, 115' NE of the corner of Ella Avenue (7239 River Drive Road).

DATE AND TIME: Monday, March 10, 1986, at 9:30 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland.

Being the property of Linwood A. Hayden, Sr., et ux, as shown on the plat filed with the Zoning Office.

In the event that this Petitioner(s) is granted a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

By Order Of Arnold Jablon, Zoning Commissioner of Baltimore County Feb. 20.

## The Times

Middle River, Md., Feb. 19, 1986

This is to certify, that the annexed

Petition - Hayden  
Pg. 2 of 487

was inserted in The Times, a newspaper printed and published in Baltimore County, once in each

of one successive

weeks before the 19th day of Feb., 1986

James E. Dyer, Petitioner.

## CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 15th Date of Posting: 2/20/86

Posted for: Variance

Petitioner: Linwood A. Hayden, Sr., et ux

Location of property: NW/S River Drive Rd., 115' NE of Ella Ave.

7239 River Drive Rd.

Location of Sign: Same River Drive, across 10' from driveway, on street.

16. P. B. Hayden

Remarks:

Posted by: [Signature] Date of return: 2/21/86

Number of Signs: 1

Case No. 86-347-A

## BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your petition has been received and accepted for filing this 4th day of February, 1986.

ARNOLD JABLON  
Zoning Commissioner

Petitioner Linwood A. Hayden, Sr., et ux Received by: James E. Dyer  
Petitioner's Attorney Chairman, Zoning Plans (n) Advisory Committee

## BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

Arnold Jablon  
TO: Zoning Commissioner Date: March 7, 1986  
Norman E. Gerber, AICP, Director  
FROM: Office of Planning and Zoning  
SUBJECT: Zoning Petitions No. 86-347-A and 86-348-A

Please consider the Critical Area comments (see memorandum dated 3/6/86 from Gerber to Jablon) to be the position of this office.

Norman E. Gerber per J. H. Howell  
Norman E. Gerber, AICP  
Director

NEG:JGH:slm

Mr. Linwood A. Hayden, Sr.  
Mrs. Loretta A. Hayden  
7239 River Drive Road  
Baltimore, Maryland 21219

February 7, 1986

## NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE  
NW/S River Drive Rd., 115' NE of the c/1  
of Ella Ave. (7239 River Drive Rd.)  
15th Election District  
Linwood A. Hayden, Sr., et ux - Petitioners  
Case No. 86-347-A

TIME: 9:30 a.m.

DATE: Monday, March 10, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE-REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 012889

DATE: 3/10/86 ACCOUNT: 86-347-A

RECEIVED FROM: [Signature]

AMOUNT: \$35.00

FOR: [Signature]

6 BALCO\*\*\*\*\*250134 21204

VALIDATION OR SIGNATURE OF CASHIER

## BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

MR. ARNOLD JABLON  
TO: Zoning Commissioner Date: March 7, 1986  
NORMAN E. GERBER, AICP  
FROM: Director of Planning & Zoning  
Critical Area Comments - E. W. Moore, et ux (86-348-A,  
SUBJECT: Item 223) and L. A. Hayden, Sr. et ux (86-347-A, Item 210)

These two petitions for a variance should be deemed to satisfy the requirements of the Chesapeake Bay Critical Area statute if one large deciduous or two conifers or four small deciduous trees are planted and maintained on the respective lots. The site of the plantings can be determined by the petitioner.

In addition, in regard to the E. W. Moore petition, it is necessary to require that the chemically treated water in the pool to be constructed not be discharged into Bird River, but rather be pumped from the pool and removed from site in an environmentally safe manner consistent with local and state regulation where applicable.

In reference to the L. A. Hayden, Sr. et ux petition, it is recommended that all runoff generated from the new structure be infiltrated into the ground to the degree physically possible by spreading over a permeable surface such as a lawn.

NEG:PJS:vh

CY: Jean Jung  
Jim Hoswell  
Thomas L. Vidmar  
People's Counsel  
Andrea Van Arsdale  
E. W. Moore  
L. A. Hayden

Norman E. Gerber, AICP

## BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 14, 1986

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

Mr. and Mrs. Linwood A. Hayden, Sr.  
7239 River Drive Road  
Baltimore, Maryland 21219

RE: Item No. 210 - Case No. 86-347-A  
Petitioners - Linwood A. Hayden, Sr., et ux  
Variance Petition

Dear Mr. and Mrs. Hayden:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,  
James E. Dyer  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

JED:nr

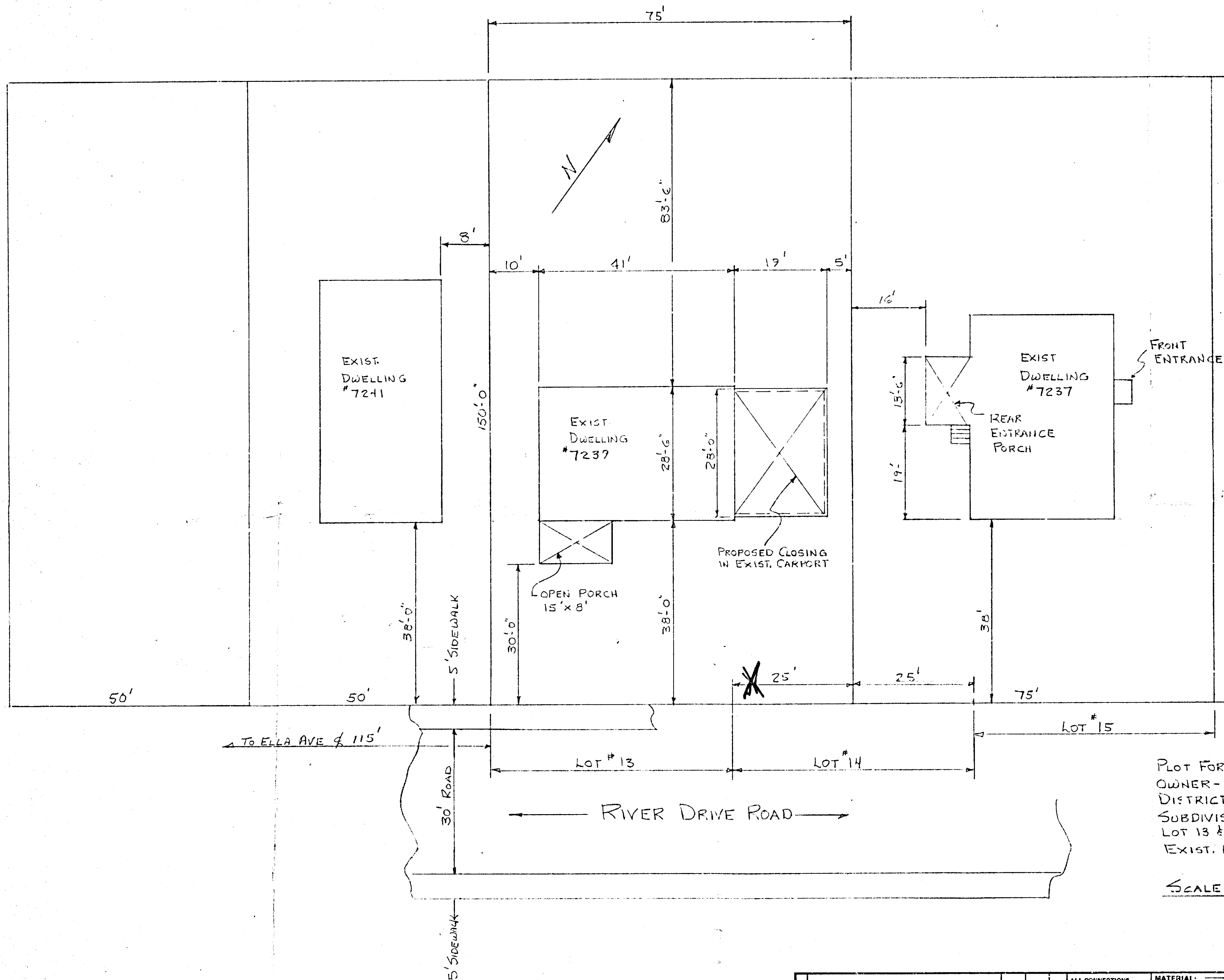
Enclosures







ELLA AVE



PETITIONER'S  
EXHIBIT 1

PLOT FOR ZONING VARIANCE  
OWNER - LINWOOD A. & LORETTA A. HAYDEN SR.  
DISTRICT 15 ZONED DR 5.5  
SUBDIVISION - LYNCH POINT  
LOT 13 & PART 14 BOOK No. 8 FOLIO 38  
EXIST. UTILITIES IN RIVER DRIVE RD.

SCALE 1" = 10'-0"

✓  
L.H.

ALL CONNECTIONS WELDED ALL AROUND. ALL WELDS TO BE 1/4" INCH FILLET WELD UNLESS OTHERWISE NOTED.				MATERIAL:	
TOLERANCES (UNLESS NOTED) FRACTIONAL ANGULAR ±				FINISH ALL OVER UNLESS OTHERWISE SPECIFIED.	
EST. WT.				SCALE: 1" = 10'-0"	
REVISION				REF. NO.	
BY DATE CHK				DATE 11-22-85	
RAYMOND INTERNATIONAL, INC.				No. D	

PLOT PLAN  
AND VICINITY MAP

DATE 11-22-85

RAY

RAYMOND INTERNATIONAL, INC.

No.

REV.

OFFICE COPY